

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GEORGE PRESTON,
KATHY PRESTON, DERRICK LEE SMITH, #267009.
JAMES THOMAS PRESTON,
MARTIN PRESTON,
RACHEL PRESTON,
Co-Plaintiffs,
VS
HIEDI WASHINGTON, Director of MDOC,
OFFICE OF POLICY DIRECTIVES,
Defendants, et al,

Case: 2:18-cv-10736
Judge: Roberts, Victoria A.
MJ: Stafford, Elizabeth A.
Filed: 03-05-2018 At 08:15 AM
PRIS DERRICK SMITH V HIEDI WASHINGTON, ET AL (LG)

42 U.S.C. § 1982 PRISONER CIVIL RIGHTS COMPLAINT

Plaintiff Derrick Lee Smith, hereby files and presents this CIVIL RIGHTS COMPLAINT to the Eastern District of Michigan and, is joined by other Parties who seek to be co-plaintiffs within this case as that all parties are related within this case at bar.

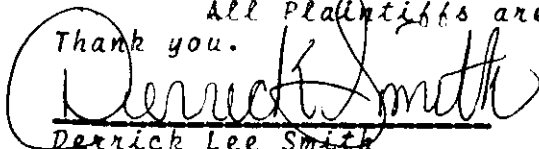
Plaintiffs will be filing a BRIEF IN SUPPORT and the issue deals solely with the Michigan Department of Corrections Implementing of the CURRENT MAIL POLICY UNDER MDOC POLICY DIRECTIVE 05.03.118 and states that the current mail policy infringes upon Plaintiff Prisoner Derrick Lee Smith's right to receive mail and know who the mail was sent to and to have the address of that sender made known to the Plaintiff upon it being sent where the policy that is currently in place allows the Department of Corrections and its employees to TAKE A LETTER THAT IS SENT BY ONE OF THE CO-PLAINTIFFS.. WHO HAVE LISTED THEIR RETURN ADDRESS ON THE ENVELOPE, AND TO REMOVE THE LETTER FROM THE ENVELOPE AND DESTROY THE ENVELOPE AND THEN SEND JUST THE LETTER TO THE PLAINTIFF PRISONER....Without even placing the RETURN ADDRESS OF THE SENDER OF SAID LETTER ON THE NEW ENVELOPE THAT THE INCOMING MAIL ROOM PROCESSOR IS PLACING SAID LETTER INTO....And yet, when LEGAL MAIL COMES IN, THE ENVELOPE IS COPIED FULLY SO THAT PLAINTIFF PRISONER KNOWS WHO SENT IT..MAIL IS MAIL, LEGAL OR NOT AND IT SHOULD NOT BE INTERFERED WITH IN ANY WAY, AND BY THE DEFENDANTS IMPLEMENTING THIS NEW POLICY, IT VIOLATES THE PLAINTIFF PRISONERS FIRST AMENDMENT RIGHTS TO MAIL AND PRESS AND RELIGION...And the new policy conflicts with incoming legal mail policy, when in fact the present mailroom policy is an infringement of the Plaintiffs rights...
MOTION TO WAIVE FEES

Plaintiff Prisoner is in fact indigent and cannot afford to cover the costs of the Entry fee on this matter and has no assets and is in prison for quite a number of years and has nothing to convert to cash to cover the costs associated with

this filing fee involved in this matter and now submits to the court the encloses statement of account activity sheet and states that the Plaintiff cannot afford to pay the cost of the entry fee for the case and asks it to be waived..

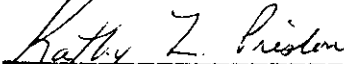
All Plaintiffs are in fact indigent.

Thank you.


Derrick Lee Smith

267009-4-139a

MCF-2400 S. Sheridan Drive
Muskegon, MI 49442


Kathy Preston

3. Gratiot Blvd

Marysville, MI 48040


Rachel Preston

Rachel Preston

3. Gratiot Blvd

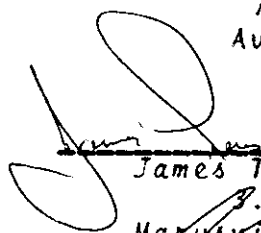
Marysville, MI 48040


George Preston

George Preston

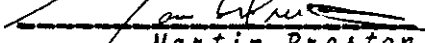
7541 Vale Road

Avoca, MI 48006


James Thomas Preston

3. Gratiot Blvd

Marysville, MI 48040


Martin Preston

3. Gratiot Blvd

Marysville, MI 48040

MR. DERRICK LEE SMITH

#267009-4-139A

MUSKEGON CORRECTIONAL FACILITY

2400 S. SHERIDAN DRIVE

MUSKEGON, MI 49442

OFFICE OF THE CLERK

U.S. DISTRICT COURT

231 W. LAFAYETTE BLVD

DETROIT, MI 48226

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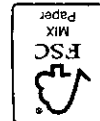
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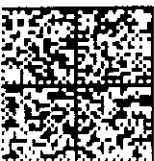


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CIVIL COVER SHEET FOR PRISONER CASES

Case No. <u>18-10736</u>		Judge: <u>Victoria A. Roberts</u>		Magistrate Judge: <u>Elizabeth A. Stafford</u>	
Name of 1st Listed Plaintiff/Petitioner: DERRICK LEE SMITH ET AL			Name of 1st Listed Defendant/Respondent: HIEDI WASHINGTON		
Inmate Number: 267009			Additional Information: DM-no fee no copies no ifp app		
Plaintiff/Petitioner's Attorney and Address Information: 					
Correctional Facility: Muskegon Correctional Facility 2400 S. Sheridan Muskegon, MI 49442 MUSKEGON COUNTY					

BASIS OF JURISDICTION

- ☐ 2 U.S. Government Defendant
☒ 3 Federal Question

ORIGIN

- ☒ 1 Original Proceeding
☐ 5 Transferred from Another District Court
☐ Other:

NATURE OF SUIT

- ☐ 530 Habeas Corpus
☐ 540 Mandamus
☒ 550 Civil Rights
☐ 555 Prison Conditions

FEE STATUS

- ☒ IFP *In Forma Pauperis*
☐ PD Paid

PURSUANT TO LOCAL RULE 83.11**1. Is this a case that has been previously dismissed?**

- ☐ Yes ☒ No

➤ If yes, give the following information:

Court: _____
 Case No: _____
 Judge: _____

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

- ☐ Yes ☒ No

➤ If yes, give the following information:

Court: _____
 Case No: _____
 Judge: _____